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**NOTICE OF APPEAL FROM THE EXAMINER TO
THE BOARD OF PATENT APPEALS AND INTERFERENCES**

Docket Number (Optional)

13.001.CON

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)]
on Sept. 7, 2006

In re Application of

Jeff Abel

Application Number
10/616,460

Filed
07/08/2003

For **FISH NET WITH LENGTH MEASUR...**

Signature [Signature]
Typed or printed name **David R. McKinney**

Art Unit
3643

Examiner
Parsley, David J.

Applicant hereby **appeals** to the Board of Patent Appeals and Interferences from the last decision of the examiner.

The fee for this Notice of Appeal is (37 CFR 41.20(b)(1)) \$ 500.00

☒ Applicant claims small entity status. See 37 CFR 1.27. Therefore, the fee shown above is reduced by half, and the resulting fee is: \$ 250.00

☒ A check in the amount of the fee is enclosed.

☐ Payment by credit card. Form PTO-2038 is attached.

☐ The Director has already been authorized to charge fees in this application to a Deposit Account. I have enclosed a duplicate copy of this sheet.

☐ The Director is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. _____ . I have enclosed a duplicate copy of this sheet.

☐ A petition for an extension of time under 37 CFR 1.136(a) (PTO/SB/22) is enclosed.

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

I am the

☐ applicant/inventor.

☐ assignee of record of the entire interest.
See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed.
(Form PTO/SB/96)

[Signature]
Signature
David R. McKinney
Typed or printed name

☒ attorney or agent of record.
Registration number 42,868

(801) 746-8500
Telephone number

☐ attorney or agent acting under 37 CFR 1.34.
Registration number if acting under 37 CFR 1.34. _____

Sept. 7, 2006
Date

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below*.

☐ *Total of _____ forms are submitted.

This collection of information is required by 37 CFR 41.31. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11, 1.14 and 41.6. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

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PATENT APPLICATION
Attorney Docket No.: 13.001.CON

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

ART UNIT: 3643
EXAMINER: David Parsley
APPLICANT: Jeff Abel
SERIAL NO.: 10/616,460
CONFRM. NO.: 1046
FILED: 07/08/2003
FOR: FISH NET WITH LENGTH
MEASURING SCALE
DOCKET NO.: 13.001.CON

**RESPONSE TO
FINAL OFFICE
ACTION**

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

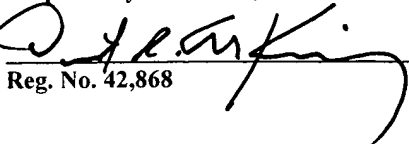
Dear Sir:

In response to the Final Office Action, mailed June 22, 2006, Applicant submits the enclosed Notice of Appeal. A check in the amount of \$250.00 is enclosed to cover the associated fee under 37 CFR 41.20(b)(1), at the small entity level.

CERTIFICATE OF DEPOSIT

I hereby certify that this paper or fee (along with any paper or fee referred to as being attached or enclosed) is being deposited with the United States Postal Service as first class mail, postage prepaid, in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450, on Sept. 7, 2006.

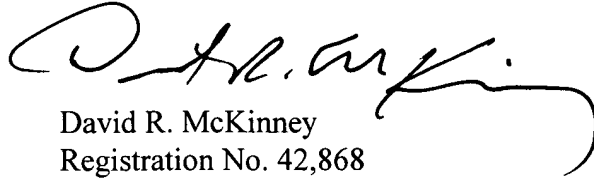
Respectfully submitted,


Reg. No. 42,868

If there are any matters related to this Response that can be resolved by telephone, the Examiner is strongly encouraged to call the undersigned at (801) 746-8500 so that such matters may be resolved as expeditiously as possible.

DATED this 7 day of September, 2006.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "D. R. McKinney", with a long, sweeping horizontal stroke extending to the right.

David R. McKinney
Registration No. 42,868

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